

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Ellis Leon Gibbs, Jr.

Docket No. 4:14-CR-9-1BO

Petition for Action on Probation

COMES NOW Melissa K. Gonigam, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Ellis Leon Gibbs, Jr., who, upon an earlier plea of guilty to Lacey Act Trafficking Violation, in violation of 16 U.S.C. § 3372(a)(1), 16 U.S.C. § 3373(d)(1)(B), 50 C.F.R. Parts 697.7(b)(1), (2), and (4), and Obstruction of a Proceeding Before a Department and Agency, in violation of 18 U.S.C. § 1505, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on October 10, 2017, to 24 months probation under the conditions adopted by the court.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

As a condition of supervision, the defendant was ordered to pay restitution in the amount of \$55,220.37 and a special assessment of \$200.00 immediately. The defendant has been unable to pay this amount in full, but a total of \$3,500.00 has been collected to date. After reviewing the defendant's financial status, the undersigned probation officer believes that Gibbs will be capable of making monthly payments of \$500.00. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. Payment of the special assessment shall be due immediately. Payment of restitution shall be due and payable in full immediately. However, if the defendant is unable to pay in full immediately, the court, having considered the defendant's financial resources and ability to pay, orders that any balance owed shall be paid in installments of \$500.00 per month. During the defendant's supervision, the probation officer shall take into consideration the defendant's ability to pay the restitution ordered and shall notify the court of any needed modification of the payment schedule.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Melissa K. Gonigam
Melissa K. Gonigam
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: (252) 830-2345
Executed On: May 4, 2018

Ellis Leon Gibbs Jr.
Docket No. 4:14-CR-9-1BO
Petition For Action
Page 2

ORDER OF THE COURT

Considered and ordered this 9 day of May, 2018, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge